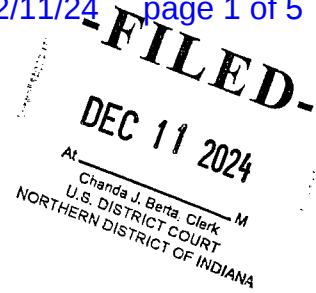


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION



| | | |
|--------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA |) | SUPERSEDING INDICTMENT |
| |) | (Three Counts) |
| |) | |
| v. |) | Case No.: 3:24-cr-00044 |
| |) | |
| |) | 21 U.S.C. § 841(a)(1) |
| |) | 21 U.S.C. § 856(a)(1) |
| DENARDO A. MCCORMACK |) | 18 U.S.C. § 924(c)(1)(A) |

THE GRAND JURY CHARGES:

COUNT 1

On or about July 2, 2024, in the Northern District of Indiana,

DENARDO A. MCCORMACK,

defendant herein, knowingly and intentionally possessed with intent to distribute a controlled substance, including 500 grams or more of a mixture and substance containing of a detectable amount of methamphetamine, a Schedule II controlled substance; a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance; and a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

THE GRAND JURY FURTHER CHARGES:

COUNT 2

On or about and between June 26, 2024, and July 2, 2024, in the Northern District of Indiana,

DENARDO A. MCCORMACK,

defendant herein, did unlawfully and knowingly use and maintain a place located at 738 South Bendix Drive in South Bend for the purpose of distributing and manufacturing a controlled substance, including methamphetamine and cocaine, Schedule II controlled substances, and marijuana, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 856(a)(1).

THE GRAND JURY FURTHER CHARGES:

COUNT 3

On or about July 2, 2024, in the Northern District of Indiana,

DENARDO A. MCCORMACK,

defendant herein, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance as alleged in Count One and maintaining a drug-involved premises as alleged in Count Two.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATIONS

1. The allegations contained in Counts 1-3 of this Indictment are hereby realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924(d); Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461(c).

2. Upon conviction of an offense in violation of Title 21, United States Code, Sections 841 or 856 as alleged in Counts One and Two of the Indictment, the defendant, **DENARDO A. MCCORMACK**, shall forfeit to the United States of America pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses.

3. If any property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

4. Upon conviction of an offense in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) as alleged in Count Three of the Indictment, the defendant, **DENARDO A. MCCORMACK**, shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any and all firearms, firearm magazines or clips, and ammunition involved in the commission of the offense.

Dated: December 11, 2024

A TRUE BILL:

s/ Grand Jury Foreperson
Grand Jury Foreperson

APPROVED BY:

CLIFFORD D. JOHNSON
UNITED STATES ATTORNEY

By: s/ Jerome W. McKeever
Jerome W. McKeever
Assistant United States Attorney